

MAR 14 2005

Fee Only

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By *Linda A. Iimura* Date 3/14/05
Linda A. Iimura

PATENT
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS & INTERFERENCES

In re Application of:

Inventor(s): Rene P. Helbing

Group Art Unit: 2798

Serial No.: 10/071,356

Examiner: Craig H. Curtis

Filed: 8 February 2002

Title: *Optical Signal Control Device and Method for Utilizing Same*

Atty Docket: 10010648

BRIEF FOR APPELLANT

Commissioner for Patents
P.O. Box 1450
Alexandria
VA 22313-1450

Sir:

This is an appeal from the decision of the Primary Examiner in a third non-final official action dated 22 September 2004 rejecting claims 2-20, 22-28 and 30-33 in the above-identified patent application.

I. Real Party in Interest

The real party in interest is Agilent Technologies, Inc., a Delaware corporation.

II. Related Appeals and Interferences

There are no other appeals or interferences known to appellant, the appellant's legal